

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	1

MR. SPEAKER:

*Your Committee on Public Health, to which was referred Senate Bill 222, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, line 2, after "assigned" insert ", as part of the individual's
- 2 **orientation process,**".
- 3 Page 2, line 5, after "assigned" insert ", as part of the individual's
- 4 **orientation process,**".
- 5 Page 3, line 8, after "documentation." insert "**However, taped**
- 6 **conversations must be kept confidential.**".
- 7 Page 3, line 19, delete ", including an understanding of what must".
- 8 Page 3, line 20, delete "be done to correct any deficiencies".
- 9 Page 3, line 21, after "deficiencies" delete ",."
- 10 Page 3, line 29, delete "An individual who participates in a licensure
- 11 inspection" and insert "**A health facility may request that the**
- 12 **inspection team leader consult with a clinical expert in long term**
- 13 **care appointed by the state department if the inspection team**
- 14 **intends to cite the health facility for the facility's clinical protocols**
- 15 **or best practice standards.**".

1 Page 3, delete lines 30 through 33.

2 Page 4, line 5, after "complainant." insert **"Priority one (1)**
 3 **complaints are exempt from this requirement if attempting to**
 4 **make prior contacts would delay the investigation. However, the**
 5 **inspector must make at least three (3) attempts to reach the**
 6 **complainant before the investigation is completed."**

7 Page 4, line 19, after "members." insert **"In addition, the posting**
 8 **must include the telephone number of the division for family**
 9 **members to contact in order to schedule a meeting with an**
 10 **inspector when the inspectors are not onsite during the posted date**
 11 **of the survey.**

12 **Sec. 11. The long term care division of the state department**
 13 **shall establish processes and procedures for investigating**
 14 **complaints received from the office concerning inspectors and**
 15 **inspection teams. These processes and procedures must include the**
 16 **following:**

17 (1) **Protections from retaliation against complainants as the**
 18 **result of these complaints.**

19 (2) **A discussion with the inspector or the inspection team**
 20 **leader and the person filing the complaint.**

21 (3) **Development of a report on the results of the investigation**
 22 **that is to be sent to the office. The report may not include any**
 23 **disciplinary findings against individual inspectors.**

24 **Sec. 12. The long term care division of the state department**
 25 **shall establish processes and procedures for investigating**
 26 **complaints received from the office concerning individual**
 27 **complaint investigation results. These processes and procedures**
 28 **must include the following:**

29 (1) **Protections from retaliation against complainants as the**
 30 **result of these complaints.**

31 (2) **A discussion with the inspector or the inspection team**
 32 **leader and the person filing the complaint.**

33 (3) **Development of a report on the results of the investigation**
 34 **that is to be sent to the office. The report may not include any**
 35 **disciplinary findings against individual inspectors."**

36 Page 5, line 4, delete "and review".

37 Page 5, line 4, delete "from health facilities".

38 Page 5, line 6, after "results" delete "." and insert **"and forward**

1 **these complaints to the long term care division of the state**
 2 **department. This section does not preclude individuals from**
 3 **making complaints directly to the long term care division of the**
 4 **state department."**

5 Page 5, between lines 6 and 7, begin a new line block indented and
 6 insert:

7 **"(4) To conduct quality assurance reviews on the state**
 8 **department's process for investigating complaints concerning**
 9 **inspectors or inspection teams."**

10 Page 5, line 7, delete "(4)" and insert **"(5)"**.

11 Page 5, between lines 9 and 10, begin a new line block indented and
 12 insert:

13 **"(6) To receive reports from the long term care division of the**
 14 **state department on the results of their investigation of**
 15 **complaints concerning inspectors or inspection teams and**
 16 **individual complaint investigation results and to provide these**
 17 **results to the complainant."**

18 Page 5, line 10, delete "each review" and insert **"the quality**
 19 **assurance reviews"**.

20 Page 5, line 11, delete "(a)(3)." and insert **"(a)(4) through (a)(5)."**

21 Page 5, line 12, after "and" insert **"the select joint committee on**
 22 **Medicaid reimbursement."**

23 Page 5, delete lines 13 through 16.

24 Page 6, line 34, delete "A summary of the" and insert **"The"**.

25 Page 6, line 34, delete "review" insert **"quality assurance reviews"**.

(Reference is to SB 222 as printed March 2, 2001.)

and when so amended that said bill do pass.

Representative Brown C